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FILED

May 29, 2003

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

James B. Loftus, M.D.
License No.: MA 53247

TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSSY

Administrative Action

**MODIFIED CONSENT ORDER
OF RESTRICTED LICENSURE**

This matter was opened to the State Board of Medical Examiners ("Board") upon receipt of Dr. Loftus' petition to grant him further modification of the Modified Consent Order of Reinstatement of Licensure, dated May 20, 2002. Dr. Loftus' petition was made with full endorsement of David L. Canavan, M.D., Medical Director Emeritus of the Physicians' Health Program (P.H.P.).

On September 30 1999, Dr. Loftus voluntarily surrendered his license by Consent Order and entered into intensive outpatient treatment at Seabrook House in Atlantic City. On May 22, 2000, Respondent's license was reinstated by Consent Order. That Consent Order reflected Respondent's employment in a surgical center in Toms River, New Jersey. On May 20, 2002 a Consent Order was filed which restored Dr. Loftus' privileges to prescribe controlled dangerous substances, permitted him to

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discontinue Naltrexone treatment, and reduced the frequency of **his** urine monitoring.

On January 22, 2003, Dr. Loftus appeared pursuant to the instant **petition** to request that his **therapy with** Dr. Makarevich **be** discontinued, that his urines **be** reduced to twice monthly and that his face to face **follow-up** visits be at the direction **of** the Executive Medical Director of the PHP consistent with the duration of his recovery. The PHP provided a Position Statement **which** formally **endorsed** the modifications sought **by** Dr. Loftus.

Dr. Loftus testified that he has **been** completely compliant with the requirements of the PHP. Dr. Makarevich, the licensed **psychologist** and addiction specialist with **whom** Dr. Loftus has sought counseling, provided the Board with a letter in which he states that Dr. Loftus has an excellent **prognosis and** in which he **recommends** that Dr. Loftus **be allowed** to cease his aftercare commitment as **of** January 31, 2003. Dr. Loftus **is** still being supervised by Dr. Schorr at Ocean Endosurgery Center **in** Toms River, N.J.

The Board having considered the Cr. Loftus' testimony and the recommendations **of** the PHP in this case and **all** relevant documentation submitted and finding that the within Order is adequately protective of the public health, safety and welfare,

IT IS **on** this **12** day of **March**, 2003

ORDERED that:

1. Dr. Loftus is to maintain absolute abstinence from alcohol and all psychoactive substances unless prescribed **by** a treating **physician** for a documented medical condition.

6. The PHP shall continue to submit quarterly reports to the Board regarding Dr. Loftus' compliance with and participation in the treatment plan outlined for him;

7. The PHP shall notify the Medical Director of the Board of Medical Examiners if there is any evidence of non-compliance with this Order or if there is any evidence of a relapse on the part of Dr. Loftus; and

8. Dr. Loftus shall comply with all terms and conditions of the within Order, with all statutes and regulations concerning the practice of medicine and surgery, and with the general laws of the state of New Jersey. If the respondent fails to strictly comply with any of the aforesaid terms, the Attorney General may apply for an emergent hearing before this Board or such member(s) as the Board President may designate for this purpose on forty-eight hours notice to Respondent. That hearing shall be limited to the issue of whether this Order has been violated. Upon proof by a preponderance of the evidence of a material violation of this Order, the Board may summarily suspend or limit Respondent's license to practice pending a plenary hearing on those charges.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

BY: William V. Harrer, M.D., B.L.D.
President

I have read and understand the above Order and I agree to abide by its terms.

James B. Loftus, M.D.
James B. Loftus M.D.

Judah Schorr, M.D.
Judah Schorr, M.D.

Consent as to form:

David I. Canavan, M.D.
David I. Canavan, M.D.
Medical Director Emeritus
Physicians' Health Program